



Central Valley Project Improvement Act

P.L. 102-575

Background

On October 30, 1992, Public Law 102-575, the Reclamation Projects Authorization and Adjustment Act of 1992, was signed into law by the President. This legislation included Title 34, the Central Valley Project Improvement Act (CVPIA or Act). The CVPIA amends previous authorizations of the CVP to include fish and wildlife protection, restoration, and mitigation as project purposes having equal priority with irrigation and domestic uses, and fish and wildlife enhancement as a project purpose equal to power generation. The Department of the Interior, Bureau of Reclamation (Reclamation) and Fish and Wildlife Service (Service), in collaboration with State and local governments, Tribes, non-governmental organizations, and stakeholders, implement activities to meet the Act's purposes.

Implementation

To-date (FY 1993-2010) the Program has completed several large projects including the Glenn-Colusa Irrigation District fish screen; Anderson-Cottonwood Irrigation District fish screen; and the Shasta temperature control device. Currently, the CVPIA Program is comprised of 15 active programs that fall in to three broad resource areas: fisheries, refuge, and other.

The overarching *Central Valley Fisheries goal* is to double the natural production of anadromous fish on a sustainable basis. Specific accomplishments include:

- Butte Creek has been restored and the program has completed 98 actions from the Final Restoration Plan in 26 watersheds throughout the Central Valley focusing on barrier removal, floodplain restoration and gravel supplementation.

- Assisted the State of California in the screening of 29 diversions ranging from 11 cubic feet per second (cfs) to 960 cfs for a cumulative total of over 4,800 cfs.
- On Clear Creek, 80% of the 2-mile restoration project has been restored, since the removal of McCormick-Saeltzer Dam.
- Created or improved spawning habitat by placing 186,000 tons of gravel in the Sacramento River, 18,000 tons in the Stanislaus River, and 39,600 tons in the American River.
- Began interim flow releases on the San Joaquin River from Friant Dam on October 1, 2009, and released for public review a draft Fisheries Management Plan.
- Construction has commenced on the new fish screen structure at the entrance to the Contra Costa Canal in Rock Slough and will be completed in FY 2011.
- Construction has commenced on the fish screen and permanent pumping plant at the Red Bluff Diversion Dam and is planned for completion in FY 2012.

The Trinity River Fisheries goal is to restore and sustain the natural production of anadromous fish populations downstream of Lewiston Dam to pre-dam levels. The *Trinity River Restoration Program* completed 23 of the 47 target mechanical channel rehabilitation projects; and implemented full Record of Decision flows since 2005.

The Refuges goal is to supply 396,244 acre-feet of Level 2 water and 159,271 acre-feet of Incremental Level 4 water to all 19 CVPIA federal, state and private wildlife refuges. The *Refuge Water Supply Program* (RWSP) delivered an annual average of 387,544 acre-feet (af) of Level 2 water, and an annual average of 65,621 af of Incremental Level 4 water based on deliveries from Contract Water Years (CWY) 2002 through 2009. This represents 92 percent of the total contract Level 2 allocation and 52 percent of the total contract Incremental Level 4 allocation.

The Other Resources goal is to protect and restore terrestrial habitat and the species that depend on them. The *Habitat Restoration Program* funded approximately 107 projects supporting the recovery of threatened and

endangered species including the acquisition and protection of over 100,000 acres; and the restoration of over 7,300 acres. The *Land Retirement Program* acquired approximately 9,300 acres and retired (removed from irrigated agriculture) approximately 9,000 acres from agricultural production (of the targeted 15,000 acres).

For additional specific information on Program performance please see the Annual Reports to Congress (Accomplishments Reports), online at:

http://www.usbr.gov/mp/cvpia/docs_reports/index.html



Funding

The Program has historically accessed multiple funding sources: Restoration Fund, Water and Related Resources, and the State of California. The Act specifies funding sources for each provision; funding should either be reimbursable, non-reimbursable, or State of California; or a combination of these sources. The Restoration Fund, established by Section 3407(d) of the CVPIA, is an account in the Treasury of the United States and consists largely of revenue generated by fees levied on CVP water and power users. The total maximum annual Restoration Fund appropriation authorized by CVPIA is \$50,000,000 (1992 price levels). Of this, \$30,000,000 (1992 price level) is the maximum amount (payment



U.S. Department of the Interior
Bureau of Reclamation
Fish and Wildlife Service

Funding Obligations and Requests FY 1993-2010

The Program has obligated approximately \$1,310.8 billion for Program implementation:

- \$737.5M - Restoration Fund
- \$336.5M - Water and Related Resources
- \$80.9M - State of California cost-share
- \$133.4M - American Recovery Reinvestment Act
- \$21.5M - California Bay-Delta Restoration,
- \$1M - Donated funds

In FY 2011, \$49.9M was requested for Restoration Fund; and \$54.6M was requested in Water and Related Resources.

In FY 2012, \$53M was requested for Restoration Fund; and \$49.8M was requested in the Water and Related Resources account.

ceiling) that is authorized to be assessed and collected from the water users. The current \$30,000,000 payment ceiling is calculated on a 3-year rolling average, which results in a cyclical funding pattern when collections are limited by the water deliveries and appropriations are limited by Congress. In addition, the annual appropriation bill from Congress provides obligation authority based on estimated collections, and the obligation of these funds can only occur after the collections are made. This dynamic necessarily constrained the Fund in the early years and continues to present cash flow challenges today.

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